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ORIGINAL

THOMAS F. McFARLAND

June 24, 2004

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

211464



Re: Docket No. AB-33 (Sub-No. 132X), *Union Pacific Railroad Company --
Abandonment Exemption -- in Rio Grande and Mineral Counties, CO*

Dear Mr. Williams:

In view of the Board's decision in the above proceeding served June 22, 2004, denying a petition to reopen filed in behalf of the City of Creede, Colorado (the City), and disposing of all pending motions, it is not clear to the Denver & Rio Grande Railway Historical Foundation (the Foundation) whether a reply is required to yet another motion to strike all pleadings of the Foundation, filed in behalf of the City on June 21, 2004, the very eve of the Board's voting conference in which its decision was released.

If such a reply is required, the Foundation hereby adopts as its own the very persuasive reply to the City's latest motion filed by Robert T. Opal, Esq., in behalf of Union Pacific Railroad Company, dated June 22, 2004.

Ten copies accompany the original of this communication. Kindly acknowledge receipt by date stamping the enclosed duplicate copy of this letter and return in the self-addressed stamped envelope.

Very truly yours,

Tom McFarland

Thomas F. McFarland
*Attorney for Denver & Rio Grande -
Railway Historical Foundation*

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cc: George M. Allen, Esq.
Robert T. Opal, Esq.
Karl Morell, Esq.
Raymond P. Micklewright, Esq.
Hon. B.J. Myers
Mr. Donald Shank